

# 4#RST \$  
525 Re PCT/PTO 13 NOV 2000

PATENT  
Attorney Docket No. 207001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Gerald M. CLEMENT

Art Unit: Unassigned

Application No. 09/622,013

Examiner: Unassigned

Filed: August 11, 2000

For: LIQUID  
CONTAINMENT/DIVERSION DIKE

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

RESPONSE TO NOTICE TO FILE MISSING PARTS

Applicant hereby responds to the Notice To File Missing Parts of Application dated September 11, 2000.

The items checked below are appropriate:

1. Status of Applicant

This application is on behalf of ☐ other than a small entity or ☒ a small entity.

The verified statement ☐ is attached or ☒ was filed on August 11, 2000.

2. Fees

Pursuant to 37 C.F.R. § 1.16(e), the surcharge for filing this Response is for ☐ other than a small entity or ☒ a small entity.

11/16/2000 LLANDGRA 00000098 09622013

01 FC:254  
02 FC:215

65.00 OP  
55.00 OP

Fee Due \$65.00

CERTIFICATE OF MAILING

I hereby certify that this document (along with any documents referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231.

Date: November 9, 2000

*Carl A. Seaver*



207001  
206480

UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: ASSISTANT COMMISSIONER FOR PATENTS  
Box PCT  
Washington, D.C. 20231

U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/622013	CLEMENT	G

BENNETT JONES  
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INTERNATIONAL APPLICATION NO.	
PCT/CA99/00121	
LA FILING DATE	PRIORITY DATE
12 FEB 99	13 FEB 98
DATE MAILED: 11 SEP 2000	

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as:

- ☐ a Designated Office (37 CFR 1.494),  
☒ an Elected Office (37 CFR 1.495):  
☒ U.S. Basic National Fee.  
☒ Copy of the international application in:  
☐ a non-English language.  
☒ English.

- ☐ Translation of the international application into English.  
☐ Oath or Declaration of inventor(s) for DO/EO/US.  
☐ Copy of Article 19 amendments.  
☐ Translation of Article 19 amendments into English.  
☐ The International Preliminary Examination Report in English and its Annexes, if any.  
☐ Translation of Annexes to the International Preliminary Examination Report into English.  
☐ Preliminary amendment(s) filed \_\_\_\_\_ and \_\_\_\_\_.  
☐ Information Disclosure Statement(s) filed \_\_\_\_\_ and \_\_\_\_\_.  
☐ Assignment document.  
☐ Power of Attorney and/or Change of Address.  
☐ Substitute specification filed \_\_\_\_\_.  
☒ Verified Statement Claiming Small Entity Status.  
☒ Priority Document.  
☒ Copy of the International Search Report ☒ and copies of the references cited therein.

☐ Other: \_\_\_\_\_

2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- ☐ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.  
☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.  
☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).  
☒ c. Oath or declaration of the inventor, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the international application number and international filing date.  
☐ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.  
☒ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$ \_\_\_\_\_ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due. See attached PTO-875.

**ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY ☐ 21 OR ☒ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes **MUST** be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.

5. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

**A copy of this notice MUST be returned with this response.**

Enclosed:

☐ PCT/DO/EO/917 ☐ Notice of Defective Translation

☐ PTO-875

FORM PCT/DO/EO/905 (December 1997)

LEYDIG, VOIT & MAYER  
RECEIVED

SEP 20 2000

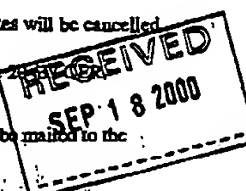
PAT/TM Due Date

10-11-00

FINAL DUE DATE:

3-11-01

RJS



Charita A. Burdette  
Telephone: 703-305-3734

In re Appln. of Clement  
Application No. 09/622,013

**3. Documents Submitted Herewith**

- ☒ Executed Declaration of inventor(s).
- ☐ Verified Statement claiming small entity status.
- ☐ Sequence Listing (and accompanying Preliminary Amendment, Verification, and diskette).
- ☐ Verified English translation of application.
- ☒ Copy of the Notice to File Missing Parts of Application.
- ☐ Other:

**4. Extension Of Term**

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136 apply.

- ☒ Applicant petitions for a one-month extension of time under 37 C.F.R. § 1.136, the fee for which is \$55.00.
- ☐ Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

**Extension fee due with this request: \$55.00**

**5. Total Fee Due**

The total fee due is:

Surcharge	\$65.00
Extension Fee (if any)	\$55.00

**Total Fee Due: \$120.00**

**6. Fee Payment**

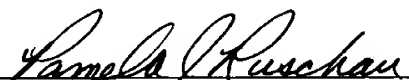
- ☒ Attached is a check in the sum of \$120.00.
- ☐ Charge Account No. 12-1216 the sum of \$ . A duplicate of this transmittal is attached.

In re Appln. of Clement  
Application No. 09/622,013

**7. Fee Deficiency**

- ☒ If any additional fee is required in connection with this communication, charge Account No. 12-1216. A duplicate of this transmittal is attached.

Date: November 9, 2000

  
\_\_\_\_\_  
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